

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ABDUL HOWARD,

Plaintiff,

v.

BONNIE POLLEY, et al.,

Defendants.

Case No. 2:15-cv-01458-APG-VCF

**ORDER DENYING MOTION FOR
DEFAULT JUDGMENT**

(ECF No. 17)

Plaintiff Abdul Howard moves for default judgment under Federal Rule of Civil Procedure 55. As I previously explained in a prior minute order (ECF No. 16), a default judgment can be entered only against a defendant who has been defaulted for not appearing. *See* Fed. R. Civ. P. 55(b)(1). Thus, Howard first must move for entry of default against the defendants under Federal Rule of Civil Procedure 55(a) before he may seek a default judgment against them. Howard has not done so.

IT IS THEREFORE ORDERED that plaintiff Abdul Howard's motion for entry of default judgment (**ECF No. 17**) is **DENIED** without prejudice as premature.

DATED this 3rd day of August, 2016.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE